

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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Civil No. 07 CIV 4853

RICO FERRO and ANGELINA S. FERRO,

Plaintiffs,

- against -

SHUTTLE AMERICA CORPORATION,
d/b/a UNITED EXPRESS, and
REPUBLIC AIRWAYS HOLDINGS INC.,

Defendants.

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**DEFENDANTS' MOTION
REQUESTING *PRO HAC VICE*
ADMISSION OF NICHOLAS C.
BART AND JOHN G. McAULEY**

PLEASE TAKE NOTICE, pursuant to Rule 1.3(c) of the Rules of the United States District Courts for the Southern and Eastern Districts of New York ("Local Rules"), and upon the annexed Affidavits of Alison L. McKay, Defendants, SHUTTLE AMERICA CORPORATION and REPUBLIC AIRWAYS HOLDINGS INC., hereby move this Court at the Courthouse located at 500 Pearl Street, New York, New York for an Order admitting Nicholas C. Bart and John G. McAuley to practice *pro hac vice* in this action.

In support thereof, the undersigned Defendants set forth the following:

1. Nicholas C. Bart and John G. McAuley are associated with the law firm of ADLER MURPHY & McQUILLEN LLP, whose business address is One North LaSalle Street, Suite 2300, Chicago, Illinois. Prior counsel, Kevin W. Murphy, has terminated his association with that firm.

2. Nicholas C. Bart and John G. McAuley have been retained by Defendants, SHUTTLE AMERICA CORPORATION and REPUBLIC AIRWAYS HOLDINGS INC., in the instant matter, and have had a relationship with Defendants for an extended period of time.

3. Defendants, SHUTTLE AMERICA CORPORATION and REPUBLIC AIRWAYS HOLDINGS INC., wish to be represented by Nicholas C. Bart and John G. McAuley in lieu of Kevin W. Murphy.

4. Attorneys Nicholas C. Bart and John G. McAuley are associated in the preparation and trial of the above-captioned case with the Law Office of Paul A. Lange located at 445 Park Avenue, 9th floor, New York, New York.

5. Nicholas C. Bart is an attorney licensed to practice law in the States of Illinois and Wisconsin. He has been admitted to practice before the United States District Courts for the Northern, Central, and Southern Districts of Illinois and the United States Court of Appeals for the Third Circuit and Seventh Circuits.

6. John G. McAuley is an attorney licensed to practice law in the State of Illinois. He has been admitted to practice before the United States District Court, Northern District of Illinois.

7. Nicholas C. Bart and John G. McAuley are members in good standing and are eligible to practice in all of the above-stated courts. They are not currently, nor have they ever been suspended, disciplined or disbarred. There are not now, nor have there been, any grievances or criminal matters pending against Nicholas C. Bart or John G. McAuley.

8. Neither Nicholas C. Bart nor John G. McAuley has ever been denied admission to any state or federal court.

WHEREFORE, the undersigned Defendants respectfully request that the Court grant this Motion and permit Nicholas C. Bart and John G. McAuley to be admitted to practice *pro hac vice* herein in lieu of Kevin W. Murphy.

Dated: May 28, 2008

SHUTTLE AMERICA CORPORATION
and REPUBLIC AIRWAYS HOLDINGS
INC.

By: 

Alison L. McKay, AM5337
Law Offices of Paul A. Lange
445 Park Avenue, 9th floor
New York, NY 10022-8632
Telephone: (212) 385-1215
Facsimile: (212) 608-1215

ORDER

Defendants, SHUTTLE AMERICA CORPORATION and REPUBLIC AIRWAYS HOLDINGS INC.'s Motion requesting the *pro hac vice* admission of _____, 2008, having been heard by the Court is hereby ordered:

GRANTED / DENIED

BY THE COURT,

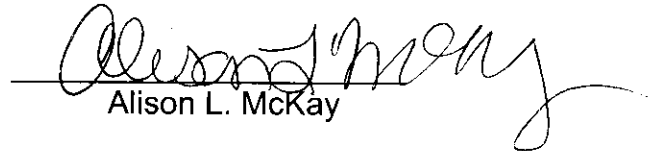
Judge/Clerk

Dated: _____, 2008

DECLARATION OF SERVICE

Alison L. McKay, an attorney duly admitted *pro hac vice* to practice before the United States District Court in and for the Southern District of New York, states the following under penalty of perjury:

1. I am counsel to Defendant SHUTTLE AMERICA CORPORATION, d/b/a UNITED EXPRESS, and REPUBLIC AIRWAYS HOLDINGS INC., in this action;
2. That on this 28th day of May, 2008, I served the Defendants' Motion Requesting Pro Hac Vice Admission of Nicholas C. Bart and John G. McAuley via ECF Filing;
3. I declare under the penalty of perjury that the foregoing is true and correct.


Alison L. McKay

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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RICO FERRO and ANGELINA S. FERRO,

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- against -

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Defendants.

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**AFFIDAVIT OF ALISON L.
MCKAY IN SUPPORT OF
MOTION TO ADMIT NICHOLAS
C. BART *PRO HAC VICE***

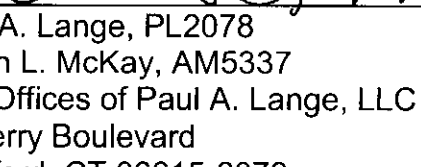
Alison L. McKay, being duly sworn, hereby deposes and says as follows:

1. I am a licensed attorney at Law Offices of Paul A. Lange, LLC counsel for Defendants in the above captioned action. I am familiar with the proceedings in this case. I make this statement based on my personal knowledge of the facts set forth herein and in support of Defendants' motion to admit Nicholas C. Bart as counsel *pro hac vice* to represent Defendants in this matter.
2. I am a member in good standing of the bar of the State of New York, and was admitted to practice law in February 2001. I am also admitted to the bar of the United States District Court for the Southern District of New York, and am in good standing with this Court.
3. Nicholas C. Bart is a partner with Adler Murphy & McQuillen LLP in Chicago, Illinois.

4. I have found Nicholas C. Bart to be a skilled attorney and a person of integrity. He is experienced in Federal practice and is familiar with the Federal Rules of Civil Procedure.
5. Attorney Bart is a member of the Bar of the State of Illinois. A certificate of good standing is annexed hereto as Attachment "1".
6. Accordingly, I am pleased to move the admission of Nicholas C. Bart, *pro hac vice*.
7. I respectfully submit a proposed order granting the admission of Nicholas C. Bart.

SHUTTLE AMERICA CORPORATION and
REPUBLIC AIRWAYS HOLDINGS INC.

By:



Paul A. Lange, PL2078
Alison L. McKay, AM5337
Law Offices of Paul A. Lange, LLC
80 Ferry Boulevard
Stratford, CT 06615-6079
(203) 275-7724
(203) 375-9397 (fax)

-and

Michael G. McQuillen
Nicholas C. Bart
John G. McAuley
ADLER MURPHY & McQUILLEN LLP
One North LaSalle Street
Suite 2300
Chicago, IL 60602
(312) 345-0700

ATTACHMENT 1

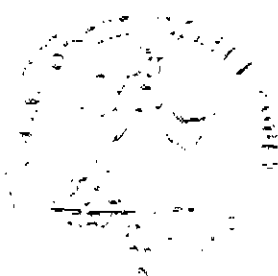
Certificate of Admission To the Bar of Illinois

I, Juleann Hornyak, Clerk of the Supreme Court of Illinois, do hereby certify that

Nicholas C. Bart

has been duly licensed and admitted to practice as an Attorney and Counselor of Law within this State; has duly taken the required oath to support the CONSTITUTION OF THE UNITED STATES and of the STATE OF ILLINOIS, and also the oath of office prescribed by law, that said name was entered upon the Roll of Attorneys and Counselors in my office on May 6, 1999 and is in good standing, so far as the records of this office disclose.

In Witness Whereof, I have hereunto placed my hand and affixed the seal of said Supreme Court, at Springfield, in said State, this Wednesday, May 21, 2008.



Juleann Hornyak

Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

----- x

Civil No. 07 CIV 4853

RICO FERRO and ANGELINA S. FERRO,

Plaintiffs,

- against -

SHUTTLE AMERICA CORPORATION,
d/b/a UNITED EXPRESS, and
REPUBLIC AIRWAYS HOLDINGS INC.,

Defendants.

----- x

**AFFIDAVIT OF ALISON L.
MCKAY IN SUPPORT OF
MOTION TO ADMIT JOHN G.
McAULEY *PRO HAC VICE***

Alison L. McKay, being duly sworn, hereby deposes and says as follows:

1. I am a licensed attorney at Law Offices of Paul A. Lange, LLC counsel for Defendants in the above captioned action. I am familiar with the proceedings in this case. I make this statement based on my personal knowledge of the facts set forth herein and in support of Defendants' motion to admit John G. McAuley as counsel *pro hac vice* to represent Defendants in this matter.
2. I am a member in good standing of the bar of the State of New York, and was admitted to practice law in February 2001. I am also admitted to the bar of the United States District Court for the Southern District of New York, and am in good standing with this Court.
3. John G. McAuley is an associate with Adler Murphy & McQuillen LLP in Chicago, Illinois.

4. I have found John G. McAuley to be a skilled attorney and a person of integrity. He is experienced in Federal practice and is familiar with the Federal Rules of Civil Procedure.

5. Attorney McAuley is a member of the Bar of the State of Illinois. A certificate of good standing is annexed hereto as Attachment "1".

6. Accordingly, I am pleased to move the admission of John G. McAuley, *pro hac vice*.

7. I respectfully submit a proposed order granting the admission of John G. McAuley.

SHUTTLE AMERICA CORPORATION and
REPUBLIC AIRWAYS HOLDINGS INC.

By: 

Paul A. Lange, PL2078
Alison L. McKay, AM5337
Law Offices of Paul A. Lange, LLC
80 Ferry Boulevard
Stratford, CT 06615-6079
(203) 275-7724
(203) 375-9397 (fax)

-and

Michael G. McQuillen
Nicholas C. Bart
John G. McAuley
ADLER MURPHY & McQUILLEN LLP
One North LaSalle Street
Suite 2300
Chicago, IL 60602
(312) 345-0700

ATTACHMENT 1

Certificate of Admission To the Bar of Illinois

I, Juleann Hornyak, Clerk of the Supreme Court of Illinois, do hereby certify that

John Gloninger McAuley

has been duly licensed and admitted to practice as an Attorney and Counselor of Law within this State; has duly taken the required oath to support the CONSTITUTION OF THE UNITED STATES and of the STATE OF ILLINOIS, and also the oath of office prescribed by law, that said name was entered upon the Roll of Attorneys and Counselors in my office on May 13, 1988 and is in good standing, so far as the records of this office disclose.

In Witness Whereof, I have hereunto
placed my hand and affixed the seal
of said Supreme Court, at Springfield,
in said State, this Wednesday, May 21, 2008.



Juleann Hornyak

Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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Defendants.

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**PROPOSED ORDER FOR
ADMISSION
PRO HAC VICE
ON WRITTEN MOTION**

Upon the motion of ALISON L. McKAY attorney for Defendants, SHUTTLE AMERICA CORPORATION and REPUBLIC AIRWAYS HOLDINGS INC., and said sponsor attorney's affidavit in support;

IT IS HEREBY ORDERED that

Applicant's Name: Nicholas C. Bart

Firm Name: ADLER MURPHY & McQUILLEN LLP

Address: One North LaSalle Street, Suite 2300

City/State/Zip: Chicago, Illinois 60602

Telephone/Fax: (312) 345-0700 / (312) 345-9860

Email Address: nbart@amm-law.com

is admitted to practice pro hac vice as counsel for Defendants SHUTTLE AMERICA CORPORATION and REPUBLIC AIRWAYS HOLDINGS INC. in the above captioned case in the United States District Court for the Southern District of New York. All attorneys appearing before this Court are subject to the Local Rules of this Court, including the Rules governing discipline of attorneys. If this action is assigned to the Electronic Case Filing (ECF) system, counsel shall immediately apply for an ECF password at nysd.uscourts.gov. Counsel shall forward the pro hac vice fee to the Clerk of Court.

Dated:

City, State:

United States District/Magistrate Judge

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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**PROPOSED ORDER FOR
ADMISSION
PRO HAC VICE
ON WRITTEN MOTION**

Upon the motion of ALISON L. McKAY attorney for Defendants, SHUTTLE AMERICA CORPORATION and REPUBLIC AIRWAYS HOLDINGS INC., and said sponsor attorney's affidavit in support;

IT IS HEREBY ORDERED that

Applicant's Name: John G. McAuley

Firm Name: ADLER MURPHY & McQUILLEN LLP

Address: One North LaSalle Street, Suite 2300

City/State/Zip: Chicago, Illinois 60602

Telephone/Fax: (312) 345-0700 / (312) 345-9860

Email Address: jmcauley@amm-law.com

is admitted to practice pro hac vice as counsel for Defendants SHUTTLE AMERICA CORPORATION and REPUBLIC AIRWAYS HOLDINGS INC. in the above captioned case in the United States District Court for the Southern District of New York. All attorneys appearing before this Court are subject to the Local Rules of this Court, including the Rules governing discipline of attorneys. If this action is assigned to the Electronic Case Filing (ECF) system, counsel shall immediately apply for an ECF password at nysd.uscourts.gov. Counsel shall forward the pro hac vice fee to the Clerk of Court.

Dated:

City, State:

United States District/Magistrate Judge